

**SENATE SUBSTITUTE AMENDMENT 1,
TO 2005 SENATE BILL 4**

1 **AN ACT** *to amend* 59.10 (3) (c) (title) and 62.08 (4); and *to create* 59.10 (3) (cm)
2 and 62.08 (4m) of the statutes; **relating to:** the size of the county board of
3 supervisors in certain counties and the common council in certain cities.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 59.10 (3) (c) (title) of the statutes is amended to read:
5 59.10 **(3)** (c) (title) *Changes during decade; municipal boundary adjustments.*
6 **SECTION 2.** 59.10 (3) (cm) of the statutes is created to read:
7 59.10 **(3)** (cm) *Changes during decade; reduction in size.* 1. ‘Number of
8 supervisors; redistricting.’ Except as provided in subd. 3, following the enactment
9 of a decennial supervisory district plan under par. (b), the board may decrease the

1 number of supervisors. In that case, the board shall redistrict, readjust, and change
2 the boundaries of supervisory districts, so that the number of districts equals the
3 number of supervisors, the districts are substantially equal in population according
4 to the most recent countywide federal census, the districts are in as compact a form
5 as possible, and the districts consist of contiguous whole wards in existence at the
6 time at which the redistricting plan is adopted. In the redistricting plan, the board
7 shall adhere to the requirements under par. (b) 2. and 3. with regard to contiguity
8 and shall, to the extent possible, place whole contiguous municipalities or contiguous
9 parts of the same municipality within the same district. In redistricting under this
10 subdivision, the original numbers of the districts in their geographic outlines, to the
11 extent possible, shall be retained. No plan may be enacted under this subdivision
12 during review of the sufficiency of a petition filed under subd. 2. nor after a
13 referendum is scheduled on such a petition. However, if the electors of the county
14 reject a change in the number of supervisory districts under subd. 2., the board may
15 then take action under this subdivision except as provided in subd. 3. The county
16 clerk shall file a certified copy of any redistricting plan enacted under this
17 subdivision with the secretary of state.

18 2. 'Petition and referendum.' Except as provided in subd. 3., the electors of a
19 county may, by petition and referendum, decrease the number of supervisors at any
20 time after the first election is held following enactment of a decennial supervisory
21 district plan under par. (b). A petition for a change in the number of supervisors may
22 be filed with the county clerk. Prior to circulating a petition to decrease the number
23 of supervisors in any county, a petitioner shall register with the county clerk, giving
24 the petitioner's name and address and indicating the petitioner's intent to file such
25 a petition. No signature on a petition is valid unless the signature is obtained within

1 the 60-day period following such registration. The petition shall specify the
2 proposed number of supervisors to be elected. Within 14 days after the last day for
3 filing an original petition, any other petitioner may file an alternative petition with
4 the county clerk proposing a different number of supervisors to be elected, and, if the
5 petition is valid, the alternative proposed in the petition shall be submitted for
6 approval at the same referendum. An alternative petition is subject to the same
7 registration and signature requirements as an original petition. Each petition shall
8 be in the form specified in s. 8.40 and shall contain a number of signatures of electors
9 of the county equal to at least 25 percent of the total votes cast in the county for the
10 office of supervisor at the most recent spring election preceding the date of filing. The
11 county clerk shall promptly determine the sufficiency of a petition filed under this
12 subdivision. Upon determination that a petition is sufficient, or if one or more valid
13 alternative petitions are filed, upon determination that the petitions are sufficient,
14 the county clerk shall call a referendum concurrently with the next spring or general
15 election in the county that is held not earlier than 42 days after the determination
16 is made. The question proposed at the referendum shall be: "Shall the board of
17 supervisors of County be decreased from members to members?". If one or
18 more alternative valid petitions are filed within 14 days after the last day that an
19 original petition may be filed, the question relating to the number of supervisors
20 shall appear separately. The first question shall be: "Shall the size of the county
21 board of supervisors of County be decreased from its current membership of
22 members?". Any subsequent question shall be: "If so, shall the size of the board be
23 decreased to members?". Each elector may vote in the affirmative or negative on
24 the first question and may then vote in the affirmative on one of the remaining
25 questions. If the first question is not approved by a majority of the electors voting

1 on the question, any subsequent question is of no effect. If the question is approved
2 by a majority of the electors voting on the question, or, if more than one question is
3 submitted, if the first question is approved by a majority of the electors voting on the
4 question, the board shall enact an ordinance prescribing revised boundaries for the
5 supervisory districts in the county. The ordinance shall be enacted in accordance
6 with the approved question or, if more than one question is submitted, in accordance
7 with the choice receiving a plurality of the votes cast. The districts are subject to the
8 same requirements that apply to districts in any plan enacted by the board under
9 subd. 1. If the board has determined under sub. (1) (b) to adopt staggered terms for
10 the office of supervisor, the board may change the expiration date of the term of any
11 supervisor to an earlier date than the date provided under current ordinance if
12 required to implement the redistricting or to maintain classes of members. The
13 county clerk shall file a certified copy of any redistricting plan enacted under this
14 subdivision with the secretary of state.

15 3. 'Limitation.' If the number of supervisors in a county is decreased by the
16 board or by petition under this paragraph, no further action may be taken by the
17 board or by petition under this paragraph in that county until after enactment of the
18 next decennial supervisory district plan by the board under par. (b).

19 4. 'Election; term.' Any redistricting plan enacted under subd. 1. takes effect
20 on November 15 following its enactment and first applies to the election of
21 supervisors at the next spring election following the effective date that immediately
22 precedes the expiration of the terms of office of supervisors in the county. Any
23 reduction in the number of supervisory districts under subd. 2. that is approved at
24 a spring election shall be enacted in the form of a redistricting plan no later than
25 November 15 following that election and shall first apply to the election of

1 supervisors at the next spring election immediately preceding the expiration of the
2 terms of office of supervisors in the county, and any reduction in the number of
3 supervisory districts under subd. 2. that is approved at a general election shall be
4 enacted in the form of a redistricting plan no later than the 2nd succeeding November
5 15 following that election and shall first apply to the election of supervisors at the
6 next spring election following that November 15 immediately preceding the
7 expiration of the terms of office of supervisors in the county. Any redistricting plan
8 enacted under subd. 1. or 2. shall remain in effect until the effective date of any
9 subsequent redistricting plan enacted under sub. (3) (c) or until the effective date of
10 a redistricting plan subsequently enacted under par. (b). Supervisors elected from
11 the districts created under subd. 1. or 2. shall serve for 2-year terms and shall take
12 office on the 3rd Tuesday in April following their election.

13 **SECTION 3.** 62.08 (4) of the statutes is amended to read:

14 62.08 (4) The common council of any city may, by a two-thirds vote of all its
15 members but not more frequently than once in 2 years, increase or decrease the
16 number of aldermanic districts or the number of members of the city council, and in
17 that case shall redistrict, readjust and change the boundaries of aldermanic districts,
18 so that they are as nearly equal in population according to the most recent city-wide
19 federal census as practicable by combining contiguous whole wards. In redistricting
20 such cities the original numbers of the aldermanic districts in their geographic
21 outlines shall as far as possible be retained, and the aldermanic districts so created
22 and those the boundaries of which are changed shall be in as compact form as
23 possible. This subsection does not apply to changes in aldermanic districts
24 authorized under sub. (4m).

25 **SECTION 4.** 62.08 (4m) of the statutes is created to read:

62.08 (4m) If in a city that is solely contained within one county the aldermanic districts are coterminous with the supervisory districts of the county and the county board decreases the number of supervisors in the county after enactment of a redistricting plan under s. 59.10 (3) (cm), the common council of the city may, by a majority vote of the council, no later than November 15 immediately preceding the expiration of the terms of office of members of the council, decrease the number of aldermanic districts and the corresponding number of members of the council in the city to maintain coterminous boundaries between the aldermanic and supervisory districts and may change the expiration date of the term of any council member to an earlier date than the date provided under the current ordinance if required to implement the redistricting or to maintain classes of members.

(END)